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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/550,190

09/21/2005

Youval Katzman

27001U

7379

20529 7590 01/23/2009
THE NATH LAW GROUP
112 South West Street
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EXAMINER

SCHNEIDER, CRAIG M

ART UNIT

PAPER NUMBER

3753

MAIL DATE

DELIVERY MODE

01/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/550,190	Applicant(s) KATZMAN ET AL.	
	Examiner CRAIG M. SCHNEIDER	Art Unit 3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-18,21,23,25 and 27-39 is/are pending in the application.
- 4a) Of the above claim(s) 16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-6,8-15,17,18,21,23,25,27-36 and 39 is/are allowed.
- 6) ☒ Claim(s) 37 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/5/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/08 has been entered.

Election/Restrictions

2. Applicant's election without traverse of Species A in the reply filed on 9/6/07 is acknowledged.
3. Claims 16 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/6/07.

Information Disclosure Statement

4. The IDS submitted on 6/5/08 was submitted to correct a typographical error that was on the IDS filed 1/27/06 and reviewed and mailed on 10/29/07. The reviewed IDS of 6/5/08 that is attached will replace the 1449 dated 10/29/07 in its entirety.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Art Unit: 3753

6. Claims 37 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Kochaver (3,168,103).

Kochaver discloses a gas purge valve comprising a housing (19) fitted with an inlet (22) being in flow communication with a float chamber within the housing, and an outlet (26) formed at an upper end thereof, the outlet formed with a valve seating (25), a sealing assembly (30) for sealing the outlet, and a float (32) disposed within the float chamber and being pivotally attached to the sealing assembly by a rigid link; the sealing assembly being carried at a first end of an external support lever (31) having a second end thereof pivotally attached to the housing allowing the sealing assembly freedom to self align with the valve seating at a closed position (col. 1, line 63 to col. 3, line 57).

Note: It is not indicated in the claim as to what the external support lever is external to. The examiner is taking the broadest possible interpretation of the claim and interpreting the term external to mean that the lever is external to the main flow path of the liquid since it is inside the float housing .

Allowable Subject Matter

7. Claims 1, 3-6, 8-18, 21, 23, 25, 27-36, and 39 are allowed.

Response to Arguments

8. Applicant's arguments, see remarks, filed 11/24/08, with respect to the rejection(s) of all the claim(s) have been fully considered and are persuasive.

Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kochaver (3,168,103) for claims 37 and 38.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bucci et al. (5,592,963) disclose a float valve with a pivotally secured float and a support lever that carries the sealing element.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CRAIG M. SCHNEIDER whose telephone number is (571)272-3607. The examiner can normally be reached on M-F 8:00 -4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. M. S./
Examiner, Art Unit 3753
January 16, 2009

/Stephen M. Hepperle/
Primary Examiner, Art Unit 3753